

**REMARKS**

Claims 8-26 are pending and stand rejected. The Office Action has asserted that Burdick makes up for elements missing from the Terrier, Weinstein, and Shattil references. For simplicity, applicant argues only Burdick's cited contributions to the rejection of claims 8, 21, 24, the independent claims.

Burdick fails to teach the comparison of the pending claims for at least two reasons. First, Burdick determines that a transmitter is in a near-field zone if receiver receives a signal from a transmitter; no comparison is performed to make this determination. Second, if the transmitter is in a far-field zone, the receiver does not receive a signal from the transmitter; no comparison can even be performed in this instance.

None of the cited references, including Burdick, teach the comparison required by the claimed invention. Thus, the pending claims are not obvious, and are allowable. Applicant solicits a Notice of Allowance.

**I.     § 103 Rejections**

Claims 8, 21, and 24 require comparing first and second electromagnetic characteristics to determine whether a transmission zone is a near-field or far-field zone. The comparing includes either (1) calculating a ratio based on the first and second electromagnetic characteristics, or (2) calculating a difference based on the first and second electromagnetic characteristics. Burdick fails to teach any such a comparison.

Instead, the system of Burdick is only designed for short- range communication. See Burdick, col.7, ll. 22-23. Thus, the signal power of signals sent by the transmitter 11 falls off as a function of distance from the transmitter 11. The reduction of signal power as a function of distance facilitates compliance with FCC emission regulations and accommodates many transmitters in a small physical area without interference between the transmitters. See Burdick, col. 2, ll. 15-25.

A receiver 14 in Burdick receives electromagnetic signals from a transmitter 11 only if the transmitter 11 is within a certain distance D from the receiver 14, e.g., in a near-field zone. Thus, if the receiver 14 receives a signal from the transmitter 11, the transmitter 11 is in the near-field zone. No comparison of electromagnetic characteristics is done to make this determination.

If the receiver 14 is separated from the transmitter 11 at a distance larger than D, e.g., in a far-field zone, then the receiver 14 does not receive the signal from the transmitter 11. In this instance, no comparison of electromagnetic characteristics is or even can be done because no signal is received.

Moreover, any receiver (slave unit) according to Burdick's teachings will accept and process long-range signals coming from a powerful transmitter, in a fully opposite manner to applicant's invention.

## **II. Conclusion**


Applicant has shown that Burdick does not teach the comparison required by the pending claims. Therefore, applicant requests a Notice of Allowance.

Furthermore, applicant requests that the present response be entered in case applicant deems an appeal is appropriate and necessary. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution hereof, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16 – 1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account 23-0920.

Respectfully submitted,

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